

IN THE SPECIFICATION:

On page 1, lines 5-16 of the specification as already amended on June 27, 2000 (see Transmittal form paragraph 3) please replace the paragraph beginning "This application is a continuation of co-pending..." with the following paragraph:

B<sup>1</sup>  
This application is a division of application no. 08/987,237, filed December 9, 1997 currently issued as patent number 6,107,547, which is a continuation of application Serial Number 08/319,176 filed October 6, 1994 (abandoned), which is a continuation-in-part of application Serial Number 08/132,334 filed October 6, 1993 (abandoned), the disclosures of application Serial Numbers 08/132,334 and 08/319,176 are hereby incorporated by reference in their entirety.

IN THE CLAIMS:

Please amend the claims as follows:

Cancel claims 1-7, 11-13, and 16-20 without prejudice.

Please amend claims 8, 14, and 15 and to read as follows:

8 (amended). A transgenic plant having a gene construct comprising a nucleic acid encoding a nitrogen assimilation/metabolism enzyme operably linked to a plant promoter so that the nitrogen assimilation/metabolism enzyme is ectopically overexpressed in the transgenic plant, and the transgenic plant exhibits:

- B<sup>2</sup>
- i) faster rate of growth,
  - ii) greater fresh or dry weight at maturation,
  - iii) greater fruit or seed yield,
  - iv) greater total plant nitrogen content,
  - v) greater fruit or seed nitrogen content,
  - vi) greater free amino acid content in the whole plant,
  - vii) greater free amino acid content in the fruit or seed,
  - viii) greater protein content in seed or fruit, or
  - ix) greater protein content in a vegetative tissue,

B<sup>2</sup>  
than a progenitor plant which does not contain the gene construct, when the transgenic plant and the progenitor plant are cultivated under identical nitrogen non-limiting growth conditions, wherein the nitrogen assimilation/metabolism enzyme is aspartate aminotransferase, glutamate 2-oxoglutarate aminotransferase, glutamate dehydrogenase, or asparaginase.

B<sup>3</sup>  
14(amended). A seed of the transgenic plant of any one of claims 8, 9, or 10, wherein the seed has the gene construct.

15(amended). A progeny, clone, cell line or cell of the transgenic plant of any one claims 8, 9, or 10, wherein said progeny, clone, cell line or cell has the gene construct.

Please add new claims 21-26 as follows:

21 (new). The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase utilizes ferredoxin as a reductant.

22 (new). The transgenic plant of claim 21, wherein the gene construct comprises a plant glutamate 2-oxoglutarate aminotransferase gene.

B<sup>4</sup>  
23 (new). The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase utilizes NADH as a reductant.

24 (new). The transgenic plant of claim 23, wherein the the gene construct comprises a plant or *E. coli* glutamate 2-oxoglutarate aminotransferase gene.

25 (new). The transgenic plant of claim 8, wherein the glutamate 2-oxoglutarate aminotransferase comprises a chimeric bifunctional enzyme comprising both ferredoxin and NADH glutamate 2-oxoglutarate aminotransferase activities.